

CONSENT ORDER IMPOSING A FINE

1. The failure of Warner Insurance Company to file its year 2001 special liability report by not later than May 1, 2002, was a violation of WAC 284-07-010. It was also a violation of RCW 48.05.380, "Reports by property and casualty insurers- Rules" and of RCW 48.05.390, "Reports by various insurers - Contents."

2. RCW 48.05.140(1), "Certificate of authority - Discretionary refusal, revocation, suspension" provides that the Insurance Commissioner is has the discretion to refuse, suspend or revoke an insurer's certificate of authority if the insurer "...Fails to comply with any provision of this code other than those for violation of which refusal, suspension or revocation is mandatory."
3. RCW 48.05.185, "Fine in addition to or in lieu of suspension, revocation or refusal" provides that "After hearing or with the consent of the insurer and in addition to or in lieu of the suspension, revocation or refusal to renew any certificate of authority, the Commissioner may levy a fine upon the insurer in an amount not less than two hundred fifty dollars and not more than ten thousand dollars."

CONSENT TO ORDER:

1. Warner Insurance Company stipulates to the foregoing Findings of Fact and Conclusions of Law and consents to this order, which imposes a fine of \$1,000 (One Thousand Dollars and no/100) upon Warner, in lieu of further proceedings against the certificate of authority held by that insurer in Washington State. This fine must be paid in full by not later than thirty days after this order is entered. Failure to pay the fine timely and in full will constitute grounds for the suspension or revocation of the insurer's certificate of authority in Washington State. It will also result in a civil action to recover the fine, brought on behalf of the Insurance Commissioner by the Attorney General of the state of Washington.
2. Warner Insurance Company also stipulates to comply with all insurance laws and regulations of this state in the future, including but not limited to WAC 284-07-101(1) and RCW 48.05.380.

EXECUTED AND AGREED, this 2nd day of October, 2002.

WARNER INSURANCE COMPANY

By: _____

Typed Name: _____

Typed Corporate Title: _____

ORDER:

Pursuant to RCW 48.05.185, the Insurance Commissioner imposes a fine of \$1,000 (One Thousand Dollars and no/100) upon Warner Insurance Company, expressly in lieu of further proceedings against the certificate of authority held by Warner in Washington State. The fine is to be paid in full not later than thirty days after the entry of this order. Failure to pay the fine timely and in full will constitute grounds for suspension or revocation of that certificate of authority. It will also result in a civil action to collect that fine, brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON, this 7th day of October, 2002.

MIKE KREIDLER
Insurance Commissioner

By:

WILLIAM KIRBY
Legal Affairs Division